

# **EXHIBIT 1**



Lilach Klein <lilach@crosnerlegal.com>

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**Re: Barrales v. New Chapter, Inc., No. 2:25-cv-01171-HDV-KES (C.D. Cal.)**

1 message

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**Lilach Klein** <lilach@crosnerlegal.com>

Mon, May 5, 2025 at 12:35 PM

To: "Leigh, Daniel" <DanielLeigh@dwt.com>

Cc: "mhouchin@crosnerlegal.com" <mhouchin@crosnerlegal.com>, "zach@crosnerlegal.com" <zach@crosnerlegal.com>, "Harper, Jacob" <JHarper@dwt.com>, "Canner, Heather" <HeatherCanner@dwt.com>

Hi Daniel,

Yes, let's talk at 11am PST tomorrow. I will circulate a google meet link.

And yes, the purpose of tomorrow's call is to meet and confer regarding Defendant's refusal to engage in a Rule 26(f) conference. I believe you also wanted to discuss stipulating to continue the hearing date on Defendant's motion to dismiss.

On Mon, May 5, 2025 at 12:20 PM Leigh, Daniel <DanielLeigh@dwt.com> wrote:

Hi Lilach,

Are you available at 11am tomorrow?

Also, I believe we're on the same page, but just to be clear—this call is to meet and confer pursuant to Civil LR 7-3 and does not constitute our Rule 26(f) conference.

Thanks,

Daniel

**Daniel Leigh** He/Him/His  
Associate, Davis Wright Tremaine LLP

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**From:** Lilach Klein <lilach@crosnerlegal.com>

**Sent:** Monday, May 5, 2025 11:49 AM

**To:** Leigh, Daniel <DanielLeigh@dwt.com>

**Cc:** mhouchin@crosnerlegal.com; zach@crosnerlegal.com; Harper, Jacob <JHarper@dwt.com>; Canner, Heather <HeatherCanner@dwt.com>

**Subject:** Re: Barrales v. New Chapter, Inc., No. 2:25-cv-01171-HDV-KES (C.D. Cal.)

[EXTERNAL]

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Hi Daniel,

Do you or another attorney working on this matter have availability to speak today or tomorrow?

On Mon, May 5, 2025 at 11:44 AM Leigh, Daniel <DanielLeigh@dwt.com> wrote:

Hi Lilach,

I'm sorry for the late notice, but I'm being pulled away and won't be able to make our 1pm Civil LR 7-3 meet and confer.

Can we reschedule for later this week?

Thanks,

Daniel

**Daniel Leigh** He/Him/His  
Associate, Davis Wright Tremaine LLP

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**From:** Leigh, Daniel  
**Sent:** Thursday, May 1, 2025 9:51 AM  
**To:** Lilach Klein <lilach@crosnerlegal.com>  
**Cc:** mhouchin@crosnerlegal.com; zach@crosnerlegal.com; Harper, Jacob <JHarper@dwt.com>; Canner, Heather <HeatherCanner@dwt.com>  
**Subject:** RE: Barrales v. New Chapter, Inc., No. 2:25-cv-01171-HDV-KES (C.D. Cal.)

Thanks—I'll circulate an invite.

**Daniel Leigh** He/Him/His  
Associate, Davis Wright Tremaine LLP

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**From:** Lilach Klein <lilach@crosnerlegal.com>  
**Sent:** Thursday, May 1, 2025 8:00 AM  
**To:** Leigh, Daniel <DanielLeigh@dwt.com>  
**Cc:** mhouchin@crosnerlegal.com; zach@crosnerlegal.com; Harper, Jacob <JHarper@dwt.com>; Canner, Heather <HeatherCanner@dwt.com>  
**Subject:** Re: Barrales v. New Chapter, Inc., No. 2:25-cv-01171-HDV-KES (C.D. Cal.)

[EXTERNAL]

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Yes, that works. Thanks.

On Wed, Apr 30, 2025 at 7:14 PM Leigh, Daniel <DanielLeigh@dwt.com> wrote:

Hi Lilach,

Would 1pm on Monday work for you? If that works, I can circulate a Zoom link.

Thanks,

Daniel

**Daniel Leigh** He/Him/His  
Associate, Davis Wright Tremaine LLP

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**From:** Lilach Klein <lilach@crosnerlegal.com>  
**Sent:** Wednesday, April 30, 2025 4:32 PM  
**To:** Leigh, Daniel <DanielLeigh@dwt.com>  
**Cc:** mhouchin@crosnerlegal.com; zach@crosnerlegal.com; Harper, Jacob <JHarper@dwt.com>; Canner, Heather <HeatherCanner@dwt.com>  
**Subject:** Re: Barrales v. New Chapter, Inc., No. 2:25-cv-01171-HDV-KES (C.D. Cal.)

[EXTERNAL]

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I will be out of the office on Friday. Do you have availability tomorrow (5/1) between 12-3pm PST or on Monday (5/5) anytime after noon?

On Wed, Apr 30, 2025 at 4:00 PM Leigh, Daniel <DanielLeigh@dwt.com> wrote:

Hi Lilach,

We are available to meet and confer pursuant to Civil LR 7-3 Friday between 11am and 2:30pm—please let us know if something in that window works for you. Our position on the timing of the Rule 26(f) conference remains unchanged.

We're happy to stipulate to your remote appearance, but we will plan to appear in person. We also now have a conflict on our side and are hoping to move the hearing date by one week to May 22—we're happy to discuss that on our call on Friday.

Thanks,

Daniel

**Daniel Leigh** He/Him/His  
**Associate, Davis Wright Tremaine LLP**

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**From:** Lilach Klein <lilach@crosnerlegal.com>  
**Sent:** Tuesday, April 29, 2025 2:41 PM  
**To:** Leigh, Daniel <DanielLeigh@dwt.com>  
**Cc:** mhouchin@crosnerlegal.com; zach@crosnerlegal.com; Harper, Jacob <JHarper@dwt.com>; Canner, Heather <HeatherCanner@dwt.com>  
**Subject:** Re: Barrales v. New Chapter, Inc., No. 2:25-cv-01171-HDV-KES (C.D. Cal.)

[EXTERNAL]

Hi Daniel,

We respectfully disagree with your interpretation. In any event, FRCP 26(f) requires the parties to meet and confer as soon as practicable. Accordingly, we request your availability to conduct a Rule 26(f) conference tomorrow. If you are refusing to meet and confer pursuant to Rule 26(f), please confirm, and we will instead need to meet and confer pursuant to L.R. 7-3 regarding a motion to compel. In either case, please let me know your availability for tomorrow at your earliest convenience.

Additionally, I'm following up on our conversation from a few weeks ago regarding the upcoming motion to dismiss hearing. I understand you were going to confirm with your team whether you prefer a remote hearing, or whether you prefer to appear in person while stipulating to allow me to appear remotely. Please let me know your preference, and I'll circulate a stipulation. Thank you.

On Tue, Apr 29, 2025 at 2:02 PM Leigh, Daniel <DanielLeigh@dwt.com> wrote:

Hi Lilach,

Under Judge Vera's controlling Standing Order, the Rule 26(f) conference is triggered by the Court's Order Setting a Scheduling Conference. (Standing Order § V.) At that point, we will have until "twenty-one (21) days prior to the court-ordered Scheduling Conference [to confer] pursuant to Federal Rule of Civil Procedure 26(f)." (*id.*) We will discuss further when the Court issues that Order.

Best,

Daniel

**Daniel Leigh** He/Him/His  
Associate, Davis Wright Tremaine LLP

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**From:** Lilach Klein <lilach@crosnerlegal.com>  
**Sent:** Tuesday, April 29, 2025 12:37 PM  
**To:** Leigh, Daniel <DanielLeigh@dwt.com>  
**Cc:** mhouchin@crosnerlegal.com; zach@crosnerlegal.com; Harper, Jacob <JHarper@dwt.com>; Canner, Heather <HeatherCanner@dwt.com>  
**Subject:** Re: Barrales v. New Chapter, Inc., No. 2:25-cv-01171-HDV-KES (C.D. Cal.)

[EXTERNAL]

Hi Daniel,

Pursuant to FRCP 26(f), the parties are required to meet and confer at least 21 days before a scheduling order is due under Rule 16(b). Under Rule 16(b), a scheduling order is due by May 21, 2025 (90 days after Defendant was served). As such, we calculate the Rule 26(f) meet and confer deadline as April 30, 2025.

On Tue, Apr 29, 2025 at 11:41 AM Leigh, Daniel <DanielLeigh@dwt.com> wrote:

Lilach,

The Court has not yet set a scheduling conference, so there is no deadline yet to meet and confer pursuant to Rule 26(f). If you disagree, please provide your basis.

Thanks,

Daniel

**Daniel Leigh** He/Him/His  
Associate, Davis Wright Tremaine LLP

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**From:** Lilach Klein <lilach@crosnerlegal.com>  
**Sent:** Tuesday, April 29, 2025 9:31 AM  
**To:** Leigh, Daniel <DanielLeigh@dwt.com>  
**Cc:** mhouchin@crosnerlegal.com; zach@crosnerlegal.com; Harper, Jacob <JHarper@dwt.com>; Canner, Heather <HeatherCanner@dwt.com>  
**Subject:** Re: Barrales v. New Chapter, Inc., No. 2:25-cv-01171-HDV-KES (C.D. Cal.)

[EXTERNAL]

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Counsel,

Following up on this. I believe our deadline to meet and confer pursuant to Fed. R. Civ. P. 26(f) is tomorrow. Please let me know your availability.

On Fri, Apr 25, 2025 at 10:55 AM Lilach Klein <[lilach@crosnerlegal.com](mailto:lilach@crosnerlegal.com)> wrote:

Hi Daniel,

I believe we are required to meet and confer pursuant to Rule 26(f) by Wednesday (4/30). Please let me know your availability.

On Wed, Apr 2, 2025 at 11:28 AM Leigh, Daniel <[DanielLeigh@dwt.com](mailto:DanielLeigh@dwt.com)> wrote:

Thanks, Lilach. I'll send a Zoom invitation for then.

**Daniel Leigh** He/Him/His  
Associate, Davis Wright Tremaine LLP

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**From:** Lilach Klein <[lilach@crosnerlegal.com](mailto:lilach@crosnerlegal.com)>  
**Sent:** Wednesday, April 2, 2025 11:19 AM  
**To:** Leigh, Daniel <[DanielLeigh@dwt.com](mailto:DanielLeigh@dwt.com)>  
**Cc:** [mhouchin@crosnerlegal.com](mailto:mhouchin@crosnerlegal.com); [zach@crosnerlegal.com](mailto:zach@crosnerlegal.com); Harper, Jacob <[JHarper@dwt.com](mailto:JHarper@dwt.com)>; Canner, Heather <[HeatherCanner@dwt.com](mailto:HeatherCanner@dwt.com)>  
**Subject:** Re: Barrales v. New Chapter, Inc., No. 2:25-cv-01171-HDV-KES (C.D. Cal.)

[EXTERNAL]

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Yes, noon should work. Thanks.

On Wed, Apr 2, 2025 at 11:13 AM Leigh, Daniel <[DanielLeigh@dwt.com](mailto:DanielLeigh@dwt.com)> wrote:

Hi Lilach,



Unfortunately, we have a conflict at 11am on Friday. Would noon on Friday work for your side?

Thanks,

Daniel

**Daniel Leigh** He/Him/His  
**Associate, Davis Wright Tremaine LLP**

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**From:** Lilach Klein <lilach@crosnerlegal.com>  
**Sent:** Wednesday, April 2, 2025 10:32 AM  
**To:** Leigh, Daniel <DanielLeigh@dwt.com>  
**Cc:** mhouchin@crosnerlegal.com; zach@crosnerlegal.com; Harper, Jacob <JHarper@dwt.com>; Canner, Heather <HeatherCanner@dwt.com>  
**Subject:** Re: Barrales v. New Chapter, Inc., No. 2:25-cv-01171-HDV-KES (C.D. Cal.)

[EXTERNAL]

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Hi Daniel,

Would 11am on Friday work on your end?

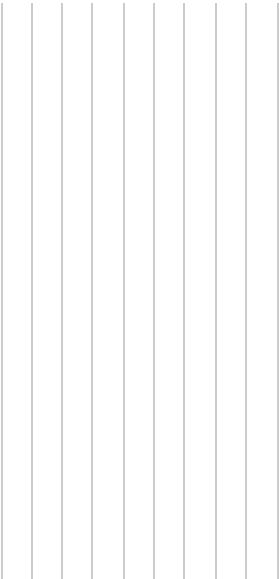
On Tue, Apr 1, 2025 at 3:31 PM Leigh, Daniel <DanielLeigh@dwt.com> wrote:

Counsel,

Defendant New Chapter, Inc. intends to file a Rule 12 motion to dismiss Ms. Barrales's complaint. Could you please let us know if you are available to meet and confer pursuant to Civil Local Rule 7-3 this Friday, April 4 at 1pm Pacific? If you are unable to confer then, please let us know some alternative times that work for you on Friday.

Thank you,

Daniel



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